



**U.S. Customs and  
Border Protection**

OBP 50/12-C

**AUG 20 2008**

**MEMORANDUM FOR:** All Chief Patrol Agents  
All Division Chiefs

**FROM:**

*lv* David V. Aguilar  
Chief  
U.S. Border Patrol

(b)(6)(b)(7)(C)

**SUBJECT:** Removal Guidance

This memorandum will serve as guidance regarding the appropriate removal process for illegal aliens apprehended and admitted who claimed to be United States Citizens at a port of entry (POE).

Based on concerns emerging from the field, this issue was referred to Immigration and Customs Enforcement (ICE) trial attorneys. It was initially agreed that such aliens could be processed for Expedited Removal (ER). Subsequently, ICE reversed their position and absent further clarification by ICE or the Department of Homeland Security, I am directing that apprehended aliens who admit to having made false claims to United States Citizenship at a POE be set up for formal removal proceedings in place of ER until further notice.

Staff may direct questions to (A) Assistant Chief (b)(6)(b)(7)(C) of the Policy Branch at (202) (b)(6)(b)(7)(C) or ACPA (b)(6)(b)(7)(C) at (202) (b)(6)(b)(7)(C)